

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 11-00571-CJC(RNBx) Date October 26, 2011
Title Michael M. Carney v. Bank of America Corporation, et al

Present: The CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE
Honorable

Michelle Urie
Deputy Clerk

Not Reported
Court Reporter

Attorneys Present for Plaintiffs:

None Present

Attorneys Present for Defendants:

None Present

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE DISMISSAL FOR LACK OF PROSECUTION

The Court, on its own motion, hereby ORDERS plaintiff, to show cause in writing no later than **November 7, 2011**, why this action should not be dismissed for lack of prosecution. As an alternative to a written response by plaintiff, the Court will consider the filing of one of the following, as an appropriate response to this OSC, on or before the above date:

- X Joint Rule 26(f) Report (FRCivP 26)
- X Stipulation and Order to Dismiss

Absent a showing of good cause, an action shall be dismissed if the summons and complaint have not been served upon all defendants within 120 days after the filing of the complaint. Fed. R. Civ. P. 4(m). The Court may dismiss the action prior to the expiration of such time, however, if plaintiff has not diligently prosecuted the action.

It is the plaintiff's responsibility to respond promptly to all orders and to prosecute the action diligently, including filing proofs of service and stipulations extending time under Rule 55 remedies promptly upon default of any defendant. All stipulations affecting the progress of the case must be approved by the Court. Local Rule 7-1.

NO oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a responsive pleading or motion on or before the date upon which a response by plaintiff is due.

_____ : _____
Initials of Preparer mu